



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश सञ्चालन द्वारा प्रकाशित

शिमला, शुकशर, ३१ जनवरी, १९८५/११ माघ, १९०७

हिमाचल प्रदेश सरकार

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-171002, the 29th November, 1985

No. Udyog (Chh)5-9/83.—Agreement deed executed under section 39 of the Land Acquisition Act, 1894 between the Government of Himachal Pradesh and the Oil & Natural Gas Commission, Tel Bhawan, Dehradun is published as under for the information of the public.

Sd/-
Deputy Secretary.

AGREEMENT DEED

Memorandum of Agreement made this 30th day of September, 1985 between the Oil & Natural Gas Commission, a statutory body constituted under the Act of Parliament (Act 43 of 1959) and having its Headquarters at Dehradun (U. P.) (hereinafter called "the Commission") of the one part, the Governor of the State of Himachal Pradesh (hereinafter called "the Governor") of the other part.

2. Whereas for the purpose of Drilling Operations for search of Oil & Gas deposits and purposes of connected works with the Drilling Operations, the Commission has applied Government of Himachal Pradesh for the acquisition of land under the provisions of the Land Acquisition Act, 1894 of the piece or parcel of land containing 0-17-37 hectares thereabout situated in the Village Baggi (H.B.No. 100), Tehsil Dehra, District Kangra, Himachal Pradesh and more particularly described in the Schedule hereunto annexed.

3. And whereas the said Government of Himachal Pradesh being satisfied by an enquiry held under section 40 of the said Act the proposed acquisition is needed for the aforesaid public purpose, has consented to acquire the land on behalf of the Commission.

4. Now this indenture witnesseth that it is hereby agreed and declared as follows:—

- (1) On demand the Commission shall and will pay to the said Government of Himachal Pradesh all and every compensation in respect of the said land tendered, paid or awarded or to be tendered, paid or awarded by the Collector under the Land Acquisition Act, 1894 or by Court to which a reference under Part-III of the said Act may be made or by the Court or Courts to which an appeal from the award of the said court may be preferred and all costs, charges and expenses of the proceedings in the aforesaid Courts or otherwise incidental to the proposed acquisition or payable in respect thereof under the provisions of the said Act.
- (2) On demand made by the said Collector the obligations of the Commission under the last preceding clause not being thereby limited the Commission shall and will deposit with the said Collector such sum or sums of money as in his discretion the said Collector may in anticipation estimate to be necessary for the purpose mentioned in the last preceding clause.
- (3) On payment by the Commission of all demands under the foregoing first clause, or, at the discretion of the Government of Himachal Pradesh on deposit by the Commission of all estimated amounts as provided in the second clause, but not before possession shall have been taken under the provisions of the above-mentioned Act, the Governor shall make over possession of the said land to the Commission and shall execute and do all such acts and deeds as may be necessary and proper for effectively vesting the same in the Commission.
- (4) The said land shall be held by the Commission for the purpose of Drilling Operations and for other works connected with the Drilling Operations and other purpose whatsoever.
- (5) The said Drilling Operations shall be completed within five years from the date on which possession of the land shall have been given to the Commission.
- (6) Should the said Drilling Operations not be completed within the period stated in the last preceding clause or within such further period as in its discretion may be prescribed or allowed by the said Government of Himachal Pradesh or should the said land at any time thereafter cease for the period of six consecutive months to be held and used or cease to be required for the purpose or purposes provided for in the foregoing fourth clause then and in any such case the Government may summarily re-enter upon and take possession of the said land together with all buildings thereon, whether such buildings/sheds were erected before or after transfer of the land to the Commission and thereupon the interest of the Commission in the said land and buildings shall absolutely cease and determine.
- (7) On taking such possession the Government may sell or otherwise deal with the said land and buildings as it may think proper.

- (i) Should the Government sell the land with the buildings the Government after deducting the expenses incurred in connection with the said taking of the possession and with such sale shall pay the proceeds to the Commission.
- (ii) Should the Government decide not to sell the land and buildings/sheds, the Government shall retain the said land and buildings/sheds thereon in which case the Governor shall repay to the Commission the market value as on the day of re-entry of all the buildings/sheds erected by the Commission and all sums received from the Commission in respect of all and every compensation as provided in the foregoing first clause (less the Statutory allowance of 15% and less any amount received on account of trees and buildings/sheds which are not in existence at the time of resumption) but will not repay any sums paid and received on account of costs, charges and expenses.
- (iii) Should the Government decide to sell the buildings/sheds only, upon such sale, the Governor shall, after deducting the expenses of taking possession and selling, pay the balance of the proceeds of sale to the Commission together with the sum received from the Commission in respect of the compensation for the land (less the Statutory allowances of 15% and less any amount received from the Commission on account of trees and buildings/sheds which are not in existence at the time or resumption), but will not repay any sum paid and received on account of costs, charges and expenses.
- (8) The public shall be entitled to use any such path which leads to their religious place, funeral ground or any other place of worship on the following terms:—
 - (i) Any such path shall not pass through the Drillsite area.
 - (ii) The public shall not cause any damage to the boundary wall/fencing or any other thing of the Commission while using the path.
 - (iii) Path shall be provided to the Villagers outside the Drillsite area boundary/wall/fencing.
- (9) Should any dispute or difference arise touching or concerning the subject-matter of this agreement or any covenant clause or thing herein contained, the same shall be referred to the said Government of Himachal Pradesh and opinion and the decision of the Government upon such dispute or difference shall be final and conclusive and binding on the parties hereto.
- (10) The Schedule above referred to is attached.
- (11) In witness whereof the Commission and the Governor of the State of Himachal Pradesh have hereunto set their respective hands and seals the day and year first above written.

In the presence of:—

for and on behalf of the Commission.

Witnesses:

1. Sd/-
2. H. L. VERMA
Superintendent
Oil & Natural Gas Commission.

K. V. BALAKRISHNAN,
Project Manager,
Oil & Natural Gas Commission.

for and on behalf of the Governor
of the State of Himachal Pradesh.

Sd/-
Deputy Secretary (Ind.).

In the presence of:—

Witnesses:

1.
2.

DETAIL OF ACQUIRING LAND

District	Tehsil	Village	Khasra No.	Area in Hectares.
KANGRA	DEHRA	BAGGI	38/2	0.02.48
	Sub-Tehsil:	H.B.No.	39	0.01.62
	KHUNDIAN	100	40/2	0.04.81
			101	0.01.87
			81/2	0.04.04
			41/2	0.02.55
			Total	6

K. B. BALAKRISHNAN,
Project Manager,
Oil & Natural Gas Commission.